

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Clara Perez,)	Case No. 6:22-cv-03214-DCC
)	
Plaintiff,)	
)	
v.)	ORDER
)	
)	
PPG Industries, Inc.; Metokote)	
Corporation; and Manpower US Inc.,)	
)	
Defendants.)	
_____)	

This matter is before the Court on Defendant Manpower US Inc.'s ("Manpower") Motion to Dismiss. ECF No. 11. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), this matter was referred to United States Magistrate Judge Jacquelyn D. Austin for pre-trial proceedings and a Report and Recommendation ("Report"). On November 7, 2022, Manpower filed a Motion to Dismiss. ECF No. 11. Plaintiff filed a Response to the Motion, and Manpower filed a Reply. ECF Nos. 16, 17. On December 14, 2022, the Magistrate Judge issued a Report recommending that Manpower's Motion to Dismiss be granted and that Manpower be terminated as a party to this action. ECF No. 23. Neither party filed Objections to the Report.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. See *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a de novo determination of any portion of the Report of the

Magistrate Judge to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. See 28 U.S.C. § 636(b). The Court will review the Report only for clear error in the absence of an objection. See *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” (citation omitted)).

Upon review of the record, the applicable law, and the findings and recommendations of the Magistrate Judge, the Court finds no clear error and **ADOPTS** the Report. Therefore, Defendant Manpower US Inc.’s Motion to Dismiss is **GRANTED**.

IT IS SO ORDERED.

s/ Donald C. Coggins, Jr.
United States District Judge

March 22, 2023
Spartanburg, South Carolina